

REMARKS

As stated herein above, this reply is responsive to an Office action of 2 October 2012 (the "Present Office Action.")

A nonfinal Office action of 7 September 2006, in this application allowed claims 7, 15, and 23, and indicated that claims 4, 12, and 20 to be allowable if presented in independent form. Thereafter, claims 1-3, 5, 6, 9-11, 13, 14, 17-19, 21 and 22 were unsuccessfully appealed. See "Decision on Appeal," July 17, 2012. A continuation application (serial number 13/600,201, attorney docket AUS920000510US1) was filed 30 August 2012 to amend claims of the originally filed parent in order to conform to amendments made during prosecution of the parent and to incorporate claims 4, 12, and 20 into the independent claims from which they respectively depend, thereby placing them into condition for allowance in the continuation application, as indicated in the Office action of 7 September 2006.

The Present Office Action indicates that claims 7, 15 and 23 of the present application will pass to issuance, provided certain formal matters are herein corrected. Specifically, the Office action indicates the following amendments are required:

the phrase ". . . so that the processed versions can be . . ." in claims 7, 15 and 23 must be amended, which is on grounds that the phrase does not positively recite a limitation; and

claim 15 must be amended, which is on grounds that in view of the specification the phrase "computer usable medium" in the claims encompasses transitory embodiments, e.g., a signal.

Applicant herein above submits amendments to the claims to address the issues raised in the Present Office Action. (The term "applicant" is used herein merely for convenience, regardless of the number of inventors.) As to the "computer usable medium" matter, the amended claim now recites a "computer usable, recordable-type medium." This clearly limits the claimed subject matter to avoid encompassing mere signals, since the specification clearly distinguishes mere signals ("transmission-type media such as digital and analog communication links")

from "*recordable-type media* such as a floppy disc, a hard disk drive, a RAM and CD-ROMs . . ." (emphasis added).

The Present Office Action also indicates that claims 7, 15 and 23 are provisionally rejected under 35 USC 101, as claiming the same invention as that of claims 7, 15 and 23 of the co-pending continuation application. In order to address the rejection, applicant has canceled claims 7, 15 and 23 in an amendment to the continuation application.

Disclaimer

Applicant also herein cancels claims other than claims 7, 15 and 23, since no other claims are passing to issuance. Applicant is not, however, conceding that the subject matter encompassed by originally submitted claims 1-24 is unpatentable. Claims 1-6, 8-14, 16-22 and 24 are canceled herein solely to facilitate expeditious prosecution of the remaining claims.

Applicant respectfully reserves the right to pursue additional claims in one or more continuing applications, wherein the additional claims may include the subject matter encompassed by claims 1-24 as originally submitted in the parent application.

REQUESTED ACTION

Applicant hereby requests that Examiner promptly pass the application to issuance.

Respectfully submitted,

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